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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/549,491

07/03/2006

Dan Dinescu

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20792 7590 09/09/2009  
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EXAMINER

FIELDS, COURTNEY D

ART UNIT

PAPER NUMBER

2437

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DELIVERY MODE

09/09/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/549,491	<b>Applicant(s)</b> DINESCU, DAN	
	<b>Examiner</b> COURTNEY D. FIELDS	<b>Art Unit</b> 2437	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

1. Claims 1-9 are pending.

***Response to Arguments***

1. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection, Winkler (US Patent No. 6,556,512).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Winkler (US Patent No. 6,556,512).

Referring to the rejection of claim 1, Winkler discloses a mobile equipment (i.e. mobile terminal) for non stationary use, comprising:

a real time clock RTC integrated in the mobile equipment for generating a real time information; (See Column 4, lines 6-8)

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a system time generator integrated in the mobile equipment for generating a system time information by adding an offset to the real time information given by the RTC; (See Column 1, lines 25-30)

an output means for outputting the system time information generated by the system time generator; (See Column 4, lines 11-15)

a non-volatile memory for the non-volatile storage of data and an input means for inputting instructions for changing the system time information; (See Column 5, lines 1-5)

and a decision means for limiting the possible changes of the system time information generated by the system time generator to a preset time range, wherein: (See Column 6, lines 50-55)

the real time information of the RTC is stored periodically in the non-volatile memory; (See Column 5, lines 1-5)

said input means enables a user to input a reset time value for said RTC in case that the real time information from the RTC has been lost; (See Column 6, lines 50-57)

said decision means checks if the reset time value input by a user is later than the last time information of the RTC stored in the non-volatile memory and, in case the input reset time value passes the check, the RTC is set to the new time according to the reset time value. (See Column 7, lines 32-40)

Referring to the rejection of claim 2, Winkler discloses the claimed limitation wherein the user inputted reset time value is stored in the non-volatile memory. (See Column 7, lines 15-19)

Referring to the rejection of claim 3, Winkler discloses the claimed limitation wherein the decision means does not allow the RTC to be changed responsive to the user inputted reset time when the user inputted differs from the real time information given by the RTC by more than a predefined value. (See Column 6, lines 1-27)

Referring to the rejection of claim 4, Winkler discloses the claimed limitation wherein the predefined value is a fixed value in minutes. (See Column 4, lines 15-34)

Referring to the rejection of claim 5, Winkler discloses the claimed limitation wherein the predefined value, which is used by the decision means to constrain changes to the RTC is defined in response a given inaccuracy of the time information generated by the RTC. (See Column 4, lines 60-66 and Column 5, lines 10-13)

Referring to the rejection of claim 6, Winkler discloses the claimed limitation wherein the system comprises a power supply for the mobile equipment. (See Column 4, lines 35-42)

Referring to the rejection of claim 7, Winkler discloses the claimed limitation wherein the decision means does not allow the RTC to be changed responsive to the user inputted reset time when the user inputted reset time differs from the real time information given by the RTC by more than a predefined value. (See Column 6, lines 1-27)

Referring to the rejection of claim 8, Winkler discloses the claimed limitation wherein the predefined value, which is used by the decision means to constrain changes to the RTC is defined in response to a given inaccuracy of the time information generated by the RTC. (See Column 4, lines 60-66 and Column 5, lines 10-13)

Referring to the rejection of claim 9, Winkler discloses the claimed limitation wherein the system comprises a power supply for the mobile equipment. (See Column 4, lines 35-42)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COURTNEY D. FIELDS whose telephone number is

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(571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Courtney D. Fields/  
Examiner, Art Unit 2437  
September 4, 2009

/Emmanuel L. Moise/  
Supervisory Patent Examiner, Art Unit 2437